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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/606,470	06/26/2003	Duane Palme	1180.1101101	3511

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Glenn M. Seager  
CROMPTON, SEAGER & TUFTE, LLC  
Suite 800  
1221 Nicollet Avenue  
Minneapolis, MN 55403-2420

EXAMINER

DEVORE, PETER T

ART UNIT	PAPER NUMBER
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3751

DATE MAILED: 02/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/606,470	<b>Applicant(s)</b> PALME	
	<b>Examiner</b> Peter T deVore	<b>Art Unit</b> 3751	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 29 December 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 7-13, 15-19, 23-27, 29, 30, and 32 are rejected under 35 U.S.C.

103(a) as being unpatentable over Bruggeman in view of Roman.

The Bruggeman reference discloses a brush assembly comprising a brush 6', a telescoping handle (60 and 62) which is capable of delivering cleaning agent to the brush 6', and a conduit 122/124, but does not disclose that the brush is a stationary brush in combination with motor driven rotary brush. Instead, the brush 6' is non-powered. However, attention is directed to the Roman reference, which discloses a similar brush assembly including a stationary brush concentrically disposed around a rotary brush 14 driven by pneumatic motor 21 and gearing mechanism 19 and 20. It would have been obvious to one of ordinary skill in the art at the time the invention was made to substitute a stationary brush concentrically disposed around a pneumatic motor driven rotary brush for the non-powered brush in the Bruggeman assembly in view of the teachings of Roman for improved cleaning action of the device.

Claims 1, 5, 6, 8-13, 15-17, 19-21, 25-27, 29, 30, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bruggeman in view of Armbruster (5,289,605).

The Bruggeman reference discloses a brush assembly comprising a brush 6', a telescoping handle (60 and 62) which is capable of delivering cleaning agent to the brush 6', and a conduit 122/124, but does not disclose that the brush is a motor driven rotary brush. Instead, the brush 6' is non-powered. However, attention is directed to the Roman reference, which discloses a similar brush assembly including a rotary brush 82 driven by electric motor 36 and gearing mechanism 40, 46, and 48. It would have been obvious to one of ordinary skill in the art at the time the invention was made to substitute an electric motor driven rotary brush for the non-powered brush in the Bruggeman assembly in view of the teachings of Roman for improved cleaning action of the device. Regarding claim 17, note that the brush is stationary when the device is not powered.

Claims 14, 28, and 31 rejected under 35 U.S.C. 103(a) as being unpatentable over Bruggeman in view of Roman as applied to claims 13 and 27 above, and further in view of Fromm.

The Bruggeman reference discloses a brush assembly as discussed supra, but does not disclose a hose removably connected to the handle. However, attention is directed to the Fromm reference, which discloses a similar assembly including a hose removably connected to the handle (see Figure 1) for a convenient supply of pressurized cleaning water to the assembly. It would have been obvious to one of

ordinary skill in the art to employ a hose removably connected to the handle of the modified Bruggeman device in view of the teachings of Fromm for a convenient supply of pressurized cleaning water to the assembly.

Claims 14, 28, and 31 rejected under 35 U.S.C. 103(a) as being unpatentable over Bruggeman in view of Armbruster as applied to claims 13 and 27 above, and further in view of Fromm.

The Bruggeman reference discloses a brush assembly as discussed supra, but does not disclose a hose removably connected to the handle. However, attention is directed to the Fromm reference, which discloses a similar assembly including a hose removably connected to the handle (see Figure 1) for a convenient supply of pressurized cleaning water to the assembly. It would have been obvious to one of ordinary skill in the art to employ a hose removably connected to the handle of the modified Bruggeman device in view of the teachings of Fromm for a convenient supply of pressurized cleaning water to the assembly.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-32 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The Lenhart reference discloses a brush assembly including both a water supply and a cleaning agent supply directed to the brush head.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter T deVore whose telephone number is (571) 272-4884. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Justine Yu can be reached on (571) 272-4835. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3751

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Pd Pd

  
**JUSTINE R. YU**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 3700**

2/25/05